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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Xiangzhong Yang *et al.*

EXAMINER: Voitach, Joseph T.

USSN: 09/755,204

GROUP ART UNIT: 1632

Filed: January 4, 2001

CONF. NO: 4830

FOR: **CLONING USING NUCLEI FROM LONG-GERM CULTURED SOMATIC CELLS**

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

This paper is in response to an Official Communication mailed October 16, 2003 and to which a response is due by November 16, 2003. This paper is believed to be timely filed within the shortened statutory response period so that no fee is due; however, should any fee be due, the Commissioner is authorized to deduct such fee from Edwards & Angell LLP, Deposit Account No. 04-1105.

Applicants acknowledge Examiner's clarification of a Notice of Non-Compliant Amendment under 37 CFR 1.121, a copy of which is included with this response. As instructed in the Notice, Applicants resubmit only the corrected section of the non-compliant amendment document. Applicants believe they have complied with the Revised Format of Amendments and respectfully request the Examiner to enter the previously submitted amendments.

Certificate of Mailing: I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Box Non-Fee Amendment, Commissioner for Patents, P.O. box 1450, Alexandria, VA 22313-1450.

10/30/03
Date


Lori J. Giuffrida

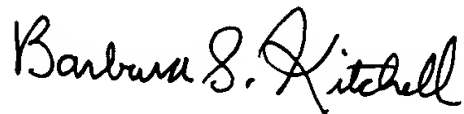
*Applicants: Xiangzhong Yang et al.
U.S. Serial No. 09/755,204*

Associate Power of Attorney:

Enclosed with this response is an associate power of attorney including the mailing address to which future correspondence should be addressed.

Should the Examiner find that anything further is required in response to the Non-Compliance Notice, please contact the undersigned at (203) 353-6848.

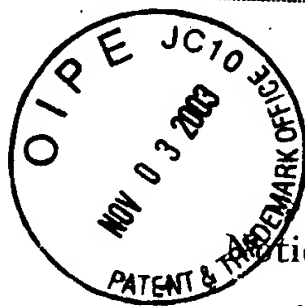
Respectfully submitted,



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UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No. _____

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on Apr 17, 2003 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☒ 3. Amendments to the drawings: _____
- ☐ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☒ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

9W
Legal Instruments Examiner (LIE)

Telephone No. _____